

MC\_&\_B\_PARTNERSHIP\_(06-11)

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Gregory Shaw from Shaw Engineering appeared before the board for this proposal.

MR. ARGENIO: Application is for development of the 10.4 acre parcel into five pads, individual lease parcels on the property, with a common commercial drive. The plan was reviewed on a concept, the plan is being reviewed on a concept basis. This is the lot over near Five Corners, this is, that's near Orange County Iron Works, is that right?

MR. SHAW: Yes, it butts up against the Price Chopper Shopping Center.

MR. ARGENIO: Guys, what this is, there's a bit going on here and keep an eye on Mr. Shaw's hands, he's very quick with them.

(Whereupon, Mr. Van Leeuwen returned to the board.)

MR. SHAW: Actually, this one I think could be very simple, it all depends on your point of view. We have a ten point something acre parcel of land that my client wants to develop, he's an end line user for what I'm calling leased parcel number one, he does not have anybody for the other remaining four other leased parcels, but in order to get the project before this board and really to address SEQRA and even to address the SWPPP what we thought would make the most sense is come in to this board and to review the infrastructure of the project and to review the SEQRA issues and the SWPPP because obviously this has to be designed for full buildout and to grant, okay, not only a negative dec for the concept plan, but also site plan for just parcel number one cause again my client has an end line user. Again, we prepared this plan showing the full build-out cause I think the board would have wanted to

see what this would look like and what we had envisioned, so rather than coming in to this board on a piecemeal basis such as this, just this build-and its parking, not knowing how the rest were going to work, this plan pretty much ties together how the site's going to be developed. We're going to be asking for a negative dec under SEQRA, we're going to be asking for site plan approval for leased parcel number one and that's all. When my clients have an end line user for any one of the other four remaining parcels we'd come back to this board with the new application and get site plan approval for each and every one of the four remaining parcels and they may be different than what's on this plan, such as on lease parcel number 3 we're showing a 10,000 square foot office building. Maybe it's not office, maybe it's retail, okay, it all depends who's going to move in there but again, you're going to have your second bite at the apple when we come in for site plan approval and you're going to look back at the record and say listen, we made an environmental determination under SEQRA based upon the impacts associated with this overall plan, has anything changed and if it has, you can open up SEQRA again to review this lot which is going to be before you or you may look at it and say nothing's changed since our determination, let's deal with site plan approval for this. So what we're asking for is approval for leased parcel number one, the common drive and the storm water detention facility, all right, because obviously in order to get the storm water from this leased parcel to the pond you're going to have to build this drive.

MR. ARGENIO: You're not looking for that tonight, are you?

MR. SHAW: No, I'm looking just to start the process tonight, what I'm really looking for is the board to circulate for lead agency, I don't know if you can send it out to the County without being lead agency, I hope you could to save a little bit of time and to just

begin to the discussion process, it's not a subdivision, very simply, my client owns ten plus acres, he's going to build a drive down the middle of it and he's going to build out five sites and he's going to own all five sites, it's not a subdivision, it's one parcel and it will remain one parcel just with five buildings on it which will be leased out.

MR. ARGENIO: I've got a couple things I want to touch on and I'm going to say to the other board members we'll have certainly ample opportunity to review this, so let's not, let's not get, I don't want to get into too much of the specific nuts and bolts of it tonight, let's look at the overall piece and let me just ask a couple of things kind of sweeping questions, Greg, that I just want to scratch the surface on a little bit and get you thinking about it. One, we'll require all the common areas to be developed before you get any approval on anything.

MR. SHAW: Fair enough.

MR. ARGENIO: That's all the common areas.

MR. SHAW: The common areas being the drive and the storm water management facility?

MR. ARGENIO: We're also going to, correct, and we also are going to want to talk about the disposition of the four other parcels from the time you get approval on the first one whatever number that is till the time you get approval on the last one. So I don't know what we're going to be looking for exactly, I'm going to look for input from the other members, but I want to know what this thing is going to look like in the interceding time. Do you have an idea of the timeframe, two years out, five years out?

MR. SHAW: I would say five years out.

MR. ARGENIO: Your client certainly has every incentive to keep his development moving, he doesn't make any money having bare land.

MR. SHAW: And he owns it, he's got quite an investment in there and I'm sure he's going to look for every opportunity to find an end line user.

MR. ARGENIO: We're going to want to have a discussion at some point in time about the, when you look for approval on the first building we're going to want to talk about the final disposition of the road and I'm kind of on the fence on it right now, I want to think about it and I want to get some input from the other members on what they're looking for from the road. What do you have in mind? Let's assume the lot on the top right is the first one you're going to be looking for.

MR. SHAW: At minimum, my client has to build this common drive to this point, it really comes, and we have to fill this road to grade in order to get the utilities in the ground, specifically the drainage from this piece through the piping that's in the drive to the basin, all right, that's an absolute minimum. If the board says, you know what, I don't like that, I want that road extended farther down, well then we're going to have to extend it farther down and pick a point that keeps the board happy, I'm not sure what you get out of it but if you want it, you know, of course.

MR. ARGENIO: Your client will get the ability to market, it's always better to see things, but as I said before, I don't want to get too far into things but these are the things that I'm thinking about. I'm going to open it up to everybody, go ahead, somebody has something.

MR. VAN LEEUWEN: I've got a question for you, says here new bank number one, is that the one that he's

going to build right away?

MR. SHAW: No, he's going to build the new retail building which is up in this corner.

MR. VAN LEEUWEN: But he's also got a tire store right here.

MR. SHAW: I had to pick a use, all right, my client has had preliminary conversations with a lot of potential tenants of this, does he have anyone signed up other than that, absolutely not, so we had to pick some uses to at least give this board a flavor as to what could be there and possibly maybe one of the people that he's talking to will end up there.

MR. VAN LEEUWEN: Okay.

MR. MINUTA: Is any of this property in the historical overlay?

MR. BABCOCK: Temple Hill Road is so I assume it is, we'll have to look at that.

MR. MINUTA: That's a question to be confirmed.

MR. GALLAGHER: Does it stop by the railroad tracks?

MR. BABCOCK: I don't know, I don't have the map.

MR. ARGENIO: Greg, you'll check on that.

MR. BABCOCK: We do have a map we'll look it up.

MR. MINUTA: Second question, I'm very pleased to see a master plan of this site as an overall first blush, I think it's great developing, the one section I think right on target with developing the road up to a certain point cause I see this boulevard through the center of it, if you do develop the whole thing, in my

opinion, it's just going to collect possibly an unwanted element because it's going to be a dark road down the end, you're going to develop it to a certain point based on what I see it's more of a boulevard, I would like to see that boulevard tree lined as just initial comments.

MR. SHAW: Just to respond to that point in my initial discussions with Mark because we're dealing with just this one lot we had detailed landscaping for this lot but what Mark also wanted was the landscaping on Temple Hill Road in front of this lot to be extended down along the leased parcel number two, even though nothing's being planned for it so that the landscaping is consistent at the same time he wanted the landscaping to go down the new roadway.

MR. ARGENIO: I was going to suggest that.

MR. SHAW: So yes the plans are before you tie all that together they tie the landscaping of this parcel with the entire front with the entire length of the roadway.

MR. MINUTA: Wonderful.

MR. EDSALL: Just for the record, the historic zone ends up near the railroad tracks so this is not in the corridor, it ends up at by Mertes Lane.

MR. MINUTA: Thank you.

MR. ARGENIO: Joe, anything else?

MR. MINUTA: Initially that's all I have.

MR. ARGENIO: Believe me, that's all we're looking for right now, later on we'll be talking about dumpsters and things of that nature that you tend to focus on and that's a good thing.

MR. SCHLESINGER: You know, I think that the type of situation was before the board before.

MR. ARGENIO: Where?

MR. SCHLESINGER: I think there's a couple of issues where we wanted the road to be completed.

MR. ARGENIO: I've seen this in the Town of Newburgh but I don't remember ever seeing it in New Windsor. Mark, do you?

MR. EDSALL: No.

MR. BABCOCK: Gallagher.

MR. EDSALL: Devitt's we had a commercial access road with several uses, we've gotten smarter from what might have gone right and what might have gone wrong with those, we're going to try to do this as best as we can.

MR. SCHLESINGER: I'd just rather see the table set as much as possible, that's my personal opinion.

MR. ARGENIO: Howard?

MR. BROWN: Not at this moment.

MR. ARGENIO: Henry?

MR. VAN LEEUWEN: I'd like to see lighting is the way, let me ask you a question, if you're going to do this retail building in the corner up here, is there a way that you can close off the new road for the time being and come out onto Temple Hill Road so none of these kids can't go parking back there and use drugs and all that stuff because that's a problem we have to look into that.

MR. EDSALL: You can have the road built and then you

can always construct it and then barricade passed the retail building driveway.

MR. VAN LEEUWEN: You can barricade it like Jerry said.

MR. SHAW: To answer your question on the lighting, we do include in that set of drawings we have a lighting plan for this site and a lighting for the 30 foot wide drive so that's already been incorporated into the drawings.

MR. VAN LEEUWEN: Is that going to be donated to the Town that drive?

MR. SHAW: No, everything's privately owned, going to remain one parcel of land after everything is built out.

MR. ARGENIO: What's your paving section?

MR. SHAW: What's my paving section, it should be on page 3 possibly.

MR. ARGENIO: I'll say for the board members I asked about the paving section, it was two weeks ago I was across the river in I think it's Fishkill, whatever Route 9, Route 9 and 84 and if you go north on 9A a few hundred yards and you make a left going back west into that big park there, that big office park with Wal-Mart, the roads in the parking lots have exploded, I mean, it's a relatively new commercial subdivision, relatively new within the past eight years, but it really looks like a bomb went off in there, I don't know who did it, but looks to me in driving through there that there's not a substantial enough section of pavement and I wouldn't want that in this Town and that's why I asked you the question. And I see you have 3 1/2 inches of base and that should be binder but that's okay, 1 1/2 inches of top and that's a substantial road.



MR. SHAW: I believe those are the specs for a Town road, so I figured if the Town specs for their roads are adequate for any type of vehicle certainly would be good enough here. One other thing I want to point out and I mentioned my clients MC & B, these are the gentlemen who own the property across the street, Blockbuster Video, Jiffy Lube, they're the same entities that own this parcel, so they're not newcomers to New Windsor, I did work for them probably about ten years ago and if you want to see what their work looks like, just take a look over there.

MR. SCHLESINGER: Two questions, obviously this isn't relative but your choice of the last unit of car wash they have a car wash across the street.

MR. SHAW: It may move.

MR. SCHLESINGER: No, that won't move because that's part of Jiffy Lube but regardless that's not my issue, do we have a water issue that we need to address here?

MR. SHAW: If a car wash gets built here that they own they're not going to keep the car wash, again, this is all one parcel, they own it all, they told me that they would take the car wash and move it from there to here, they will not have two car washes across the street from one another in competition.

MR. SCHLESINGER: Is there a water issue here?

MR. BABCOCK: No.

MR. ARGENIO: Mark is going to help us with that, it's not an extension of the main, it's a private service is the way I have historically interpreted these things since it's been in effect.

MR. EDSALL: Needs Orange County Department of Health

approval but it's not a Town water main extension.

MR. BABCOCK: Any water lines within this development would be theirs.

MR. SCHLESINGER: Okay.

MR. BABCOCK: They're going to tap our line once.

MR. MINUTA: If it ends up being a car cash majority is recycled.

MR. ARGENIO: Well, Mr. Shaw, what, how far are we going to go?

MR. EDSALL: No, I think the key was is that there's a positive and negative about having everything on this at once, one case looks like it might be simple just to deal with one little piece, but that's not good planning, Greg and I talked about how best to make sure we look at the whole development so you guys can look forward and then of course going to come back piece by piece, the point tonight is just to make sure everybody is comfortable with how Greg proposes to go through the process that's really what the goal was.

MR. ARGENIO: Should we be issuing the lead agency coordination letter?

MR. EDSALL: I believe at this point you can compare these plans to most first time visits and I think there's a lot more here than you get on a lot of last time visits, so I think these plans are in very good shape, no reason why we couldn't send him out to the County to the Planning Department and send it for lead agency coordination.

MR. ARGENIO: I'll accept a motion.

MR. VAN LEEUWEN: So moved.

MR. MINUTA: Second it.

MR. ARGENIO: Motion has been made and seconded that the New Windsor Planning Board circulate a lead agency coordination letter on the MC & B Partnership site plan. Roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BROWN	AYE
MR. MINUTA	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: What else?

MR. EDSALL: That's about all you can do. I've kept notes on your concerns, Greg and I have talked a lot about the specifics at the workshop, I've got notes on what you guys indicated you're concerned with and we'll continue.

MR. SHAW: I'll wait for the 30 day period for both the county and the DOT to expire and then I'll be back and we'll discuss a little more detail.

MR. ARGENIO: We'll talk a little more about the how complete we're going to make the road and certainly the common improvements need to be done on the front end absolutely with the exception of that we talked about the road a little bit we'll go from there.

MR. EDSALL: One item that I probably should warn Greg about that I'm going to ask for is a traffic study only because of the proximity to Five Corners and the problems we've had, if we're going to go through SEQRA and deal with the whole thing, let's do the study now.

MR. SHAW: No argument.

MR. MINUTA: As a consideration, we do not have an architectural review commission, however, we're a planning board, I would like to at least make note that the applicant have an idea as to what they would be introducing here so the entire site is constructed in a like manner.

MR. EDSALL: It would certainly make sense to have one architectural tone.

MR. MINUTA: Exactly.

MR. EDSALL: Rather than hodgepodge.

MR. SHAW: I'm not disagreeing, I'm just thinking if we end up with national franchises in there they have their own style of architecture, if you're going to have a Kentucky Fried Chicken, say we want a colonial architecture, so that's something we have to talk about, I understand your point and we have to find a happy balance.

MR. ARGENIO: It certainly will come up.

MR. SHAW: Not a problem, it's a fair question.